

10M 486 12 US 048712
Attorney Docket No. 069208.0110**DECLARATION**

SOLE INVENTOR/Joint Inventor
ORIGINAL/CIP/DIVISIONAL

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SAMPLING BAG SYSTEM WITH A PREFORMED LOOP

as described in the specification ■ attached or X of Patent Application Serial No. 10/749,296 filed 12/31/2003 and amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a) – (d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
FRANCE	FR 03/01196	03/02/03	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02b attached hereto:

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	DATE OF FILING

Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 United States Code § 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States or PCT International application, in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number

Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

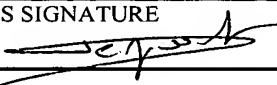
HOU01:757292.1

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Maurice Behague
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Thierry Verpoort

Assignee: MacoPharma

Serial No.: 10/749,296

Filing Date: 12/31/2003

Title: A SAMPLING BAG SYSTEM WITH
A PERFORMED LOOP

§ Group Art Unit:
§
§ Examiner:
§
§ Attorney Docket No.: 069208.0110
§

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

Concurrently Herewith
Date Recorded:
Reel/Frame:

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that he has reviewed the above-referenced assignment and hereby declares that, to the best of his knowledge, title is in the Assignee, and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

R. William Beard, Jr.: 39,903	Ronald L. Chichester: 36,765	Claude E. Cooke, Jr.: 34,142	Roger J. Fulghum: 39,678
Michael A. Hawes: 38,487	Carey Jordan: 47,646	Paul N. Katz: 35,917	Michael G. Locklar: 44,878
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ASSIGNEE

MacoPharma

DATE: 03-01-2004

BY: 
NAME: H. DUBAY
TITLE: Chief Executive